

112TH CONGRESS
2D SESSION

H. R. 3902

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2012

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the District of Columbia Home Rule Act to revise
the timing of special elections for local office in the
District of Columbia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia
3 Special Election Reform Act”.

4 **SEC. 2. TIMING OF SPECIAL ELECTIONS FOR LOCAL OF-**
5 **FICE IN DISTRICT OF COLUMBIA.**

6 (a) COUNCIL.—

7 (1) CHAIR.—The first sentence of section
8 401(b)(3) of the District of Columbia Home Rule
9 Act (sec. 1–204.01(b)(3), D.C. Official Code) is
10 amended to read as follows: “To fill a vacancy in the
11 Office of Chairman, the Board of Elections shall
12 hold a special election in the District on the Tuesday
13 occurring at least 70 days and not more than 174
14 days after the date on which such vacancy occurs
15 which the Board of Elections determines, based on
16 a totality of the circumstances, taking into account,
17 inter alia, cultural and religious holidays and the ad-
18 ministrability of the election, will provide the oppor-
19 tunity for the greatest level of voter participation.”.

20 (2) MEMBERS ELECTED FROM WARDS.—The
21 first sentence of section 401(d)(1) of such Act (sec.
22 1–204.01(d)(1), D.C. Official Code) is amended to
23 read as follows: “In the event of a vacancy in the
24 Council of a member elected from a ward, the Board
25 of Elections shall hold a special election in the Dis-
26 trict on the Tuesday occurring at least 70 days and

1 not more than 174 days after the date on which
2 such vacancy occurs which the Board of Elections
3 determines, based on a totality of the circumstances,
4 taking into account, inter alia, cultural and religious
5 holidays and the administrability of the election, will
6 provide the opportunity for the greatest level of
7 voter participation.”.

8 (3) MEMBERS ELECTED AT-LARGE.—The sec-
9 ond sentence of section 401(d)(2) of such Act (sec.
10 1–204.01(d)(2)) is amended by striking “and such
11 special election” and all that follows and inserting
12 the following: “and such special election shall be
13 held on the Tuesday occurring at least 70 days and
14 not more than 174 days after the date on which
15 such vacancy occurs which the Board of Elections
16 determines, based on a totality of the circumstances,
17 taking into account, inter alia, cultural and religious
18 holidays and the administrability of the election, will
19 provide the opportunity for the greatest level of
20 voter participation.”.

21 (b) MAYOR.—The first sentence of section 421(c)(2)
22 of such Act (sec. 1–204.21.(c)(2), D.C. Official Code) is
23 amended to read as follows: “To fill a vacancy in the Of-
24 fice of Mayor, the Board of Elections shall hold a special
25 election in the District on the Tuesday occurring at least

1 70 days and not more than 174 days after the date on
2 which such vacancy occurs which the Board of Elections
3 determines, based on a totality of the circumstances, tak-
4 ing into account, inter alia, cultural and religious holidays
5 and the administrability of the election, will provide the
6 opportunity for the greatest level of voter participation.”.

7 (c) ATTORNEY GENERAL.—The first sentence of sec-
8 tion 435(b)(1) of such Act (sec. 1–204.35(b)(1), D.C. Of-
9 ficial Code) is amended by striking “the Board” and all
10 that follows and inserting the following: “the Board of
11 Elections shall hold a special election in the District on
12 the Tuesday occurring at least 70 days and not more than
13 174 days after the date on which such vacancy occurs
14 which the Board of Elections determines, based on a total-
15 ity of the circumstances, taking into account, inter alia,
16 cultural and religious holidays and the administrability of
17 the election, will provide the opportunity for the greatest
18 level of voter participation.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by section 2 shall apply with
3 respect to vacancies occurring on or after the enactment
4 of this Act.

 Passed the House of Representatives February 29,
2012.

Attest:

KAREN L. HAAS,
Clerk.